

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (CIVIL) NO. 222 OF 2013

NISHAPRIYA

PETITIONER(S)

VERSUS

R.J. SATHISH KUMAR

RESPONDENT(S)

O R D E R

This is wife's petition for transfer of matrimonial case being O.P. No. 1199 of 2012, titled as "R.J. Sathish Kumar vs Nishapriya", from the Family Court, L.B. Nagar at Rangareddy, Hyderabad to the Principal Subordinate Court, Thanjavur, Tamil Nadu.

2. The notice of Transfer Petition has been served on the respondent and he has filed counter-affidavit in opposition to the Transfer Petition.

3. We have perused the averments made in the Transfer Petition and the counter-affidavit.

4. The only objection by the respondent to the transfer petition is principally on the ground that he is a small trader and it will be difficult for him to travel from Rangareddy, Hyderabad to Thanjavur (Tamil Nadu).

5. Having regard to the fact that the petitioner-wife is presently residing in Thanjavur (Tamil Nadu), we are satisfied that greater hardship shall be caused to her in case the proceedings in the above matrimonial case are allowed to be continued at L.B. Nagar, Rangareddy (Andhra Pradesh).

6. We, accordingly, allow the transfer petition and transfer matrimonial case being O.P. No. 1199 of 2012, titled as "R.J. Sathish Kumar vs Nishapriya", from the Family Court, L.B. Nagar at Rangareddy, Hyderabad to the Principal District Judge, Thanjavur, Tamil Nadu. It will be open to the Principal District Judge, Thanjavur to transfer the above proceedings for disposal to a competent court under his jurisdiction. The transferrer court shall transmit the record and proceedings of the transferred matrimonial case to the transferee court without any delay.

7. The transferee court is requested to hear and decide the transferred matrimonial case as expeditiously as may be possible.

The parties are directed to co-operate with the transferee court in expeditious disposal of the matrimonial case.

8. No costs.

.....J.  
( R.M. LODHA )

.....J.  
( SHIVA KIRTI SINGH )

ITEM NO.53

COURT NO.3

SECTION XVIA

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

TRANSFER PETITION (CIVIL.) NO(s). 222 OF 2013

NISHAPRIYA

Petitioner(s)

VERSUS

R.J. SATHISH KUMAR

Respondent(s)

(With appln(s) for stay and office report )

Date: 19/11/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.M. LODHA  
HON'BLE MR. JUSTICE SHIVA KIRTI SINGH

For Petitioner(s) Mr. G. Umapathy, Adv.  
Mr. S. Ram Subramanian, Adv.  
Mr. A. Lakshminarayanan, Adv.  
Mr. Rakesh K. Sharma, Adv.

For Respondent(s) Mr. Praveen Agrawal, Adv.

UPON hearing counsel the Court made the following

Transfer Petition is allowed in terms of signed order. No costs.

| (Pardeep Kumar)  
| Court Master

| | (Renu Diwan)  
| | Court Master

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[SIGNED ORDER IS PLACED ON THE FILE]